

AFFIDAVIT OF SERVICE

COMMONWEALTH OF VIRGINIA

SERVICE OTHER THAN BY VIRGINIA SHERIFF

In the:

**UNITED STATES DISTRICT COURT, EASTERN DISTRICT
OF VA**STATE/Commonwealth of:
VA

MELINDA SMITH

}} CASE NO:

In re / V.

}} **4:23-cv-00095-AWA-RJK**

ATLAS NORTH AMERICA, LLC, ET AL

THYSSENKRUPP AG**C/O OFFICE OF THE CLERK, STATE CORPORATION COMMISSION****1300 E. MAIN STREET, RICHMOND, VA 23219**

is the name and address of the person upon whom service of the following is to be made.

Document(s) SUMMONS IN A CIVIL ACTION**Served: COMPLAINT**

I, the undersigned swear/affirm that I am a private process server, I am not a party to, or otherwise interested in the subject matter in controversy in this case, I am 18 years of age or older, and I served as shown below, the above named person upon whom service of process was to be made with copies described above.

Date and time of service:

2/27/2025 @ 10:09 AM**METHOD OF SERVICE:***Being unable to make personal service, a copy was delivered in the following manner:***Delivered to person found in charge of usual place of business or employment during business hours and giving information of its purport Service accepted by:****TRACY JOHNSON**

COMMONWEALTH OF VIRGINIA

CITY OF POQUOSON

Subscribed and sworn to/affirmed before me this day by

DONNIE SUTTON

who is personally known to me.

Date: 2/28/2025

My commission expires: 1/31/2027

Dated: 2/28/2025

Signature

Name: DONNIE SUTTON

Signature of Notary Public:

JEKECIA K. JEFFERSON, REG #7127290

JEKECIA K. JEFFERSON, REG #7127290**Notary Public****Commonwealth of Virginia****My Commission Expires: 1/31/2027**

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 4:23-cv-00095-AWA-RJK

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) ThyssenKrupp AG
was received by me on (date) 2/7/25

☐ I personally served the summons on the individual at (place) _____
on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
_____, a person of suitable age and discretion who resides there,
on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Tracey Johnson, who is
designated by law to accept service of process on behalf of (name of organization) Office of the Clerk
State Corporation Commission on (date) 2.27.25; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 3-3-25



Server's signature
Donnie Sutton Process Server

Printed name and title

4 Newman Dr Poplarville Va 23462

Server's address

Additional information regarding attempted service, etc: